

General Permit for the Alteration of Wet Weather Conveyances

Effective Date: July 1, 2005

Expiration Date: June 30, 2010

This general permit authorizes alterations to wet weather conveyances. Wet weather conveyances are defined in the Rules of Tennessee Department of Environment and Conservation (1200-4-3-.04) as "man-made or natural watercourses, including natural watercourses that have been modified by channelization, that flow only in direct response to precipitation runoff in their immediate locality and whose channels are above the groundwater table and which do not support fish or aquatic life and are not suitable for drinking water supplies." Further, Rule 1200-4-3-.02(6) states that waters identified as wet weather conveyances shall be protective of humans and wildlife that may come in contact with them and shall not degrade or adversely affect the quality of downstream waters.

Failure to comply with the terms and conditions of this permit is a violation of the *Tennessee Water Quality Control Act of 1977* and is subject to penalty in accordance with T.C.A. §69-3-115.

Exclusions

This general permit shall not be used to authorize activities in the following circumstances:

- 1) where the proposed activity may adversely affect wetlands;
- 2) when the proposed activity will adversely affect a species formally listed on either state or federal lists of threatened or endangered species or their critical habitat;
- 3) when the department determines that the proposed activities, either individually or cumulatively, may result in degradation to waters of the state; or
- 4) when an individual permit is otherwise required.

Projects not qualifying for authorization under this general permit, may be authorized by an individual permit, provided that all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Notification to the division is **not** required for alterations to wet weather conveyances conducted in accordance with all terms and conditions of this General Permit.

Terms and Conditions

- 1) The work shall be accomplished in conformance with the limitations, requirements, and conditions set forth herein.
- 2) Applicant is responsible for obtaining the necessary authorization pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1899*; §404 of *The Clean Water Act* and §26a of *The Tennessee Valley Authority Act*, as well as any other federal, state or local laws.
- 3) Applicant is responsible for obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Construction Activities for construction sites involving clearing, grading or excavation that result in an area of disturbance of one or more acres, and activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale.
- 4) The activity may not result in the discharge of waste or other substances that may be harmful to humans or wildlife.
- 5) Material may not be placed in a location or manner so as to impair surface water flow into or out of any wetland area.
- 6) Sediment shall be prevented from entering waters of the state. Erosion and sediment controls shall be designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment and shall be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices.
- 7) Erosion and sediment control measures shall be in place and functional before earth moving operations begin, and shall be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the work day, but shall be replaced at the end of the work day.

- 8) Checkdams shall be utilized where runoff is concentrated. Clean rock, log, sandbag or straw bale checkdams shall be properly constructed to detain runoff and trap sediment. Checkdams or other erosion control devices are not to be constructed in stream. Clean rock can be of various type and size, depending on the application. Clean rock shall not contain fines, soils or other wastes or contaminants.
- 9) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills shall be reported to the appropriate emergency management agency and to the division. In the event of a spill, measures shall be taken immediately to prevent pollution of waters of the state, including groundwater.
- 10) This general permit does not authorize impacts to cultural, historical or archaeological features or sites.

APPROVED: 
Paul E. Davis, Director, Water Pollution Control

DATE: 6-30-05